<u>REMARKS</u>

Claims 1-40 are currently pending in the subject application and are presently under consideration. Claims 41 has been added as shown on pp. 8 of the Reply.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I.   Rejection of Claims 18 and 21-27 Under 35 U.S.C. §101

Claims 18 and 21-27 stand rejected as failing to fall within one of the four statutory classes of 35 U.S.C. §101. Specifically, the Examiner rejected the langauge "computer-readable medium" defined to include communication media, concluding this subject matter unpatentable under the Interim Guidelines. This rejection should be withdrawn for at least the following reason. Claims 18 and 21 have been amended to recite a *computer-readable **storage** medium*, which excludes signals and carrier waves. The rejection of claims 22-27 should also be withdrawn, as these claims depend from claim 21.

II.   Rejection of Claims 1-9, 11-23 and 25-40 Under 35 U.S.C. §102(e)

Claims 1-9, 11-23 and 25-40 stand rejected under 35 U.S.C. §102(e) as being anticipated by Lin *et al.* (US 2005/0091226 A1). This rejection should be withdrawn for at least the following reason. Lin *et al.* does not disclose all limitations of the subject claims.

> For a prior art reference to anticipate, 35 U.S.C. §102 requires that "each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (*quoting Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2USPQ2d 1051, 1053 (Fed. Cir. 1987)).

The subject application generally relates to a source code control architecture which allows clients to "check out" source code to facilitate offline activity and mitigate conflicts in a multi-user remote environment. A client may check out a copy of a source code file from a server, which is cached in a pristine (unmodified) condition along with associated files. A client workspace manages the source code copy, and tracks activities and modifications using an activity list when the client is operating offline. When the user is offline, the cache facilitates

uninterrupted use of the source code file(s). When a connection to a server is restored, the server files are updated according to the activity list after resolving any file version conflicts.

Lin *et al.* relates to a client side caching infrastructure employed to safeguard users and applications across connection interruptions and bandwidth changes. Specifically, Lin *et al.* discloses the use of persistent caching during times when a stable connection is present, which allows continued local utilization of the cached files if the connection is lost. The implementation enables portions of a path to a file to remain online even when the path is broken at a point. A truth-on-client scheme is employed to prevent the client from losing changes as a result of network reconciliation when a connection is reestablished.

Subject claim 1 recites, in part: ***a client control component of a client that tracks an activity associated with a modification of a source code file when the client is in an offline mode, and transmits the activity during an update process when the client moves to an online mode.*** Lin *et al.* does not teach the use of a component which *tracks an activity associated with a modification of a source code file when the client is in an offline mode, and transmits the activity during an update process when the client moves to an online mode.* The Examiner cites paragraph [0012] of Lin *et al.* in relation to these aspects of applicants' invention, which states "any file modified or manipulated by the client while disconnected from the remote server can be stored and uploaded to the server when the client regains its connection to the server." This paragraph contemplates automatically updating an older version of a file on a network during periods of intermittent connectivity, whereby one file, as saved in its current state, replaces another. However, this is not the action performed by the subject invention. By tracking *an activity associated with a modification* and transmitting *the activity during an update process,* the component of claim 1 effectively recreates the steps performed in modifying the source code file remotely when a connection is established. This technique is markedly different from that of Lin *et al.*, which seeks to reconcile final file versions rather than track the activity by which changes a user made and later perform those same steps during an update process. Applicants' invention not only re-executes the activity performed in modifying the file during the update process, but prevents that activity from being lost upon overwrite. Later users of the file are provided with a trail of modifications as opposed to only a final product.

Independent claims 13, 21, 28, and 38 recite similar limitations as to *[tracking] an activity* (or command) *associated with a modification of a source code file when the client is in*

an offline mode, and [transmitting] the activity during an update process when the client moves to an online mode. It is thus apparent that Lin *et al.* does not disclose these and other aspects of independent claims 1, 13, 21, 28 and 38. Therefore, the rejection of these claims should be withdrawn. The rejection of claims 2-9, 11-12, 14-21, 22-23, 25-27, 29-37 and 39-40 should also be withdrawn, as these claims depend from independent claims 1, 13, 21, 28 and 38.

III.   <u>Rejection of Claims 10 and 24 Under 35 U.S.C. §103(a)</u>

Claims 10 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lin *et al.* in view of Leherbauer (US 2003/0033590 A1). This rejection should be withdrawn for at least the following reason. The cited documents, alone or in combination, fail make obvious all aspects of applicants' invention.

Applicants' invention relates to a source code control architecture which updates a remote source code file using an activity list when a connection is established. Lin *et al.* discloses a persistent client side caching technique which utilizes a truth-on-client scheme in order to protect users and applications in the event of lost connections. However, as discussed *supra*, Lin *et al.* does not suggest several aspects of the subject claims, such as *a client control component of a client that tracks an activity associated with a modification of a source code file when the client is in an offline mode, and transmits the activity during an update process when the client moves to an online mode.*

Leherbauer teaches a method and software system for incorporating a version control tool into an integrated development environment. Particularly, objects created in the integrated development environment will include command information corresponding to a version control command. This information is accessible via a version control adapter, which communicates this information to a version control tool. However, Leherbauer is silent as to the deficiencies of Lin *et al.* in suggesting the novel features of the subject application discussed above. It is thus apparent that Leherbauer cannot be combined with Lin *et al.* in a way which makes obvious the limitations of the independent claims 1 and 21.

In view of the foregoing, it is apparent that Lin *et al.* and Leherbauer, alone or in combination, do not anticipate these and other aspects of independent claims 1 and 21. As claims 10 and 24 respectively depend from these claims, it is requested that the rejection as to these claims be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP640US]

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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